

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,

Plaintiff,

v.

VIKTOR SAVTYREV, a/k/a "Viktor
Savturev,"

Defendant.

Criminal No. 09-318 (JAG)

ORDER

GREENAWAY, JR., U.S.D.J.

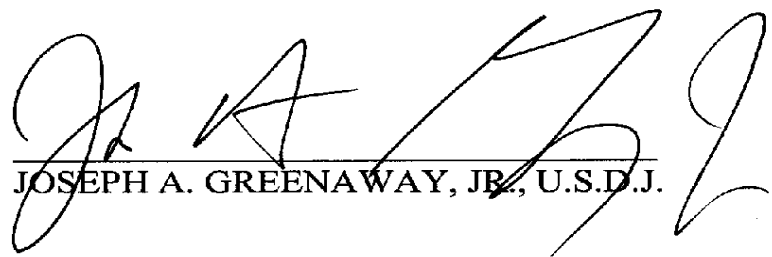
This matter having come before this Court on the motion of defendant, Viktor Savtyrev ("Defendant") (Robert G. Stahl, Esq. and Thomas E. Moseley, Esq., appearing), for (1) reconsideration of the 15-month sentence of imprisonment that this Court imposed on Defendant on September 25, 2009; and (2) for an order enjoining United States Immigration and Customs Enforcement ("US-ICE") from taking Defendant into custody pursuant to the mandatory detention provisions of 8 U.S.C. § 1226(c); and this Court having considered Defendant's written submissions dated October 19, October 22, and October 30, 2009, the opposition of Paul J. Fishman, United States Attorney for the District of New Jersey (Seth B. Kosto, Assistant United States Attorney, appearing) dated October 30, 2009, and the arguments of both parties before the Court on November 4, 2009; and good cause appearing,

IT IS, this 6th day of November, 2009,

ORDERED that Defendant's motion for reconsideration (Docket No. 30) is DENIED,
and it is further

ORDERED Defendant's motion to enjoin US-ICE from taking him into administrative custody (Docket No. 29) is GRANTED, pursuant to 18 U.S.C. §§ 3583, 3601, 3604, 28 U.S.C. §§ 1651, 2255, and United States v. Betancourt-Vazquez, Crim. No. 99-272 (D.N.J. June 18, 2001), and it is further

ORDERED that a copy of this Order be served on all parties within seven (7) days of the date of entry of this Order.



JOSEPH A. GREENAWAY, JR., U.S.D.J.